

5/4

Notice of Allowability

Application No.

09/656,170

Examiner

Ted M. Wang

Applicant(s)

TAGUCHI, MOTOYASU

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/15/2006 amendment.
2. ☒ The allowed claim(s) is/are 1-4,6-15 and 17-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Arguments

1. Applicants' amendments and arguments, filed on 12/15/2006, with respect to Claims 1-4, 6-8, 11-15, 17-19, 22-24 and 28 have been fully considered and are persuasive. The rejection(s) of claim(s) 1-4, 6-8, 11-15, 17-19, 22-24 and 28 under 35 USC § 102(e)/103(a) have been withdrawn.

Allowable Subject Matter

2. Claims 1-4, 6-15 and 17-28 are allowed.
3. The following is an examiner's statement of reasons for allowance.
 - The prior art fails to teach an apparatus/method of Claims 1, 11, 12 and 22-25 that specifically comprises the following:
 - The instant application is deemed to be directed to a non-obvious improvement over the admitted prior art of the instant application and the invention patented in Pat. No. US 6,188,682, US 6,590,886, and US 6,628,698. The improvement comprises:

With regard claims 1, 11, 12 and 22-24, "wherein the rake circuit is configured to obtain a difference between (i) a particular electric field level of a particular correlated received signal output from a particular finger circuit element of the plurality of finger circuit elements and (ii) a certain electric field level of a certain correlated received signal output from a certain finger circuit element of the plurality of finger circuit elements, and is configured to compare the difference with the predetermined threshold

level as part of the electric field level judgment;” as recited in combination of other limitation in claims 1, 11, 12 and 22-24, respectively, and

With regard claim 25, “wherein the rake circuit further includes: a main synthesizer for combining electric field levels of all of the correlated received signals output from the plurality of finger circuit elements; and a sub-synthesizer for combining electric field levels of a subset of the correlated received signals output from the plurality of finger circuit elements; and wherein the level judgment circuit is configured to execute the electric field j level judgment by comparing the predetermined threshold value with a difference between an output of the main synthesizer and an output of the sub-synthesizer.” as recited in combination of other limitation in claim 25.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Reference(s) US 6,590,886, and US 6,628,698 are cited because they are put pertinent to the Rake receiver with cell search method. However, none of references teach detailed connection as recited in claim.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is (571) 272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

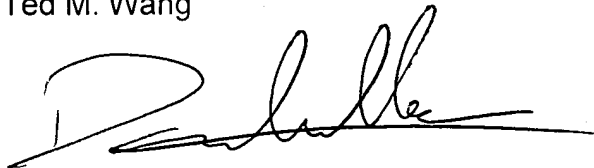
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

Ted M Wang

Examiner

Art Unit 2611


Ted M. Wang



DACHA
PRIMARY EXAMINER